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June 30, 2008

Clerk, U.S. District Court  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 1670  
New York, New York 10007-1312

Re: Time Square v. Building and Construction  
07 Civ. 7403 (Sullivan)

Dear Clerk:

Enclosed you will please find copy of Answer to the Amended Complaint, which you will please cause to be filed.

Very truly yours,

  
Norman Rothfeld

Encl.  
NR/kb

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
TIME SQUARE CONSTRUCTION, INC.,

Plaintiff,

v.

BUILDING AND CONSTRUCTION TRADES  
COUNCIL OF GREATER NEW YORK,  
ENTERPRISE ASSOCIATION OF  
STEAMFITTERS LOCAL 638 OF THE UNITED  
ASSOCIATION, CEMENT AND CONCRETE  
WORKERS LOCAL 20 OF THE LABORERS  
INTERNATIONAL UNION OF NORTH  
AMERICA, UNITED BROTHERHOOD OF  
CARPENTERS & JOINERS OF AMERICA LOCAL  
608, LOCAL #46 METALLIC LATHERS UNION  
AND REINFORCING IRONWORKERS OF NEW  
YORK AND VICINITY OF THE  
INTERNATIONAL ASSOCIATION OF BRIDGE,  
STRUCTURAL, ORNAMENTAL AND  
REINFORCING IRON WORKERS,  
INTERNATIONAL UNION OF OPERATING  
ENGINEERS LOCAL 14-14B, INTERNATIONAL  
UNION OF OPERATING ENGINEERS, LOCAL  
15D, AFFILIATED WITH THE AFL-CIO,  
LABORERS LOCAL 79, A CONSTITUENT  
LOCAL UNION OF THE MASON TENDERS  
DISTRICT COUNCIL OF GREATER NEW YORK,  
AFFILIATED WITH LABORERS  
INTERNATIONAL UNION OF NORTH  
AMERICA, MASON TENDERS DISTRICT  
COUNCIL OF GREATER NEW YORK, DISTRICT  
COUNCIL OF NEW YORK CITY AND VICINITY  
OF THE UNITED BROTHERHOOD OF  
CARPENTERS, JOINERS OF AMERICA, AFL-CIO  
AND LOCAL UNION 3, INTERNATIONAL  
BROTHERHOOD OF ELECTRICAL WORKERS  
AND TEAMSTERS LOCAL 282 A/W  
INTERNATIONAL BROTHERHOOD OF  
TEAMSTERS, AFL-CIO,

Defendants.  
-----X

07 CIV. 7403 (Sullivan)

ECT CASE

ANSWER TO AMENDED  
COMPLAINT

Defendant LOCAL UNION NO. 3, INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, AFL-CIO ("Local 3") represented by the undersigned, answering the Amended Complaint, states:

1. Denies Knowledge of and information with respect to the allegations contained in paragraphs 4, 19, 20, 21, 23 24, 25, 26, 30, 32, 33, 34, 35, 36, 37, 38, 39, 41, 44, 45, 46, 47, 48, 49, and 50.

2. Denies the allegations contained in paragraphs 29, 31, 40, 42, 43, 51 and 52 of the Complaint with respect to Local 3, and denies knowledge with respect to the other defendants.

### **AFFIRMATIVE DEFENSES**

#### **FIRST AFFIRMATIVE DEFENSE**

The Complaint fails to state a claim against defendant Local 3 upon which relief can be granted.

#### **SECOND AFFIRMATIVE DEFENSE**


Plaintiff failed to state allegations against Local 3 with the requisite specificity.

#### **THIRD AFFIRMATIVE DEFENSE**

Local 3 did not engage in speech or conduct as set forth in the Complaint in violation of 29 U.S.C. § 158(b)(4)(i)(ii)(B), 28 U.S.C. § 187, or of any other laws as alleged in the Complaint.

WHEREFORE, this Court should dismiss Amended Complaint against Local 3.

Respectfully submitted,

  
NORMAN ROTHELD (NY-0639)  
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